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6 UNITED STATES DISTRICT COURT  
7 NORTHERN DISTRICT OF CALIFORNIA  
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9 AT&T CORPORATION No. C 07-2440-MMC  
10 Plaintiff(s),  
11 v.  
12 DATAWAY, INC  
13 Defendant(s).  
14

15 CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE  
16

17 In accordance with the provisions of Title 28, U.S.C. Section 636(c), the undersigned party  
18 hereby voluntarily consents to have a United States Magistrate Judge conduct any and all further  
19 proceedings in the case, including trial, and order the entry of a final judgment. Appeal from the  
judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

20  
21 Dated: November 13, 2007

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Signature  
Counsel for Plaintiff  
(Plaintiff, Defendant or indicate "pro se")

## PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I, Timothy Carl Aires, am employed in the aforesaid county, State of California; I am over the age of eighteen years and not a party to the within action; my business address is: 180 Newport Center Drive, Suite 260, Newport Beach, California 92660.

On November 13, 2007, I served the document entitled: *Consent To Proceed Before A United States Magistrate Judge* on all interested parties in this action by placing a true and correct copy thereof, enclosed in a sealed envelope, addressed as follows:

Anne Leith-Matlock, Esq. ([anne-leith@matlocklawgroup.com](mailto:anne-leith@matlocklawgroup.com))  
Matlock Law Group, PC  
961 Ygnacio Valley Blvd.  
Walnut Creek, CA 94596

(check applicable paragraphs)  
X (BY MAIL IN THE ORDINARY COURSE OF BUSINESS) I am readily familiar with the business practice for collection and processing of correspondence for mailing with the U.S. Postal Service and the fact that correspondence would be deposited with the U.S. Postal Service that same day in the ordinary course of business; On this date, the above-named correspondence was placed for deposit at Newport Beach, CA and placed for collection and mailing following ordinary business practices.

— (BY PERSONAL SERVICE) I caused such document to be served by hand on the addressee.

— (BY EXPRESS SERVICE) I caused such document to be deposited in a box or other facility regularly maintained by the express service carrier or delivered to an authorized courier or driver authorized by the express service carrier to receive documents, in an envelope or package designated by the express service carrier with delivery fees paid or provided for, addressed to the person on whom it is to be served.

– (State) I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

X (Federal) I declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct, and that I am employed in the office of a member of the bar of this Court at whose ~~direction~~ the service was made.

Executed on November 13, 2007

Signature of Declarant